

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARY L. CLUCK,

Plaintiff,

v.

JOSEPH LEHMAN, *et al*,

Defendants.

Case No. C02-5498RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Motion to Proceed *In Forma Pauperis* [Dkt. #65], and Motion Under Fed. R. Civ. P. 60(b) [Dkt. #66].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Plaintiff has filed a Notice of Appeal [Dkt. #58]. "The filing of a notice of appeal 'confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.'" *United States v. Ortega-Lopez*, 988 F.2d 70, 72 (9th Cir. 1992), quoting *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982). The Clerk is therefore directed to strike docket numbers 65 and 66. The Court will not accept any further filings in this case unless and until it is remanded to this Court from the United States Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

1 The Clerk shall send uncertified copies of this order to all counsel of record, to any party appearing pro
2 se, and to the Ninth Circuit Court of Appeals.

3 Dated this 12th day of June, 2007.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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